THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PEITION No. 29707 of 1995

Dated: 05.12.2006

Between:

M. Krishna Reddy

… Petitioner

AND

The Regional Manager,
APSRTC, Ongole Region, Ongole,
Prakasam District.

… Respondent

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 29707 of 1995

ORDER:-

The petitioner claims to be a displaced employee due to nationalization of routes in Prakasam District. According to him, he worked as a Cleaner in vehicle No.AAE 5693, which was plied on the route Kanigiri to C.S.Puram. The Andhra Pradesh State Road Transport Corporation (for short "the Corporation") issued a circular dated 10.11.1983 providing for absorption of displaced employees into service of the Corporation and under the said circular, 3 Conductors and 2 Drivers, who worked under the private bus employer before nationalization are entitled to be absorbed. The petitioner claims that though he is eligible as evident from a certificate dated 29.03.1994 issued by the Labour Officer, Ongole, that he worked as a cleaner in bus bearing registration No.AAE 5693 between September 1985 to September 1986, his claims were overlooked. The petitioner therefore seeks a writ to declare the inaction of the respondent in absorbing him into service either as a cleaner or a driver as arbitrary and for a consequential direction to the respondent to appoint him as cleaner or driver into the service of the corporation.

On behalf of the respondent, a counter-affidavit is filed by the Chief Law Officer, APSRTC, Hyderabad. It is stated in the counter-

affidavit that six displaced workers, who were sponsored by the owner of the said vehicle were interviewed at the time of recruitment of the staff into the respondent Corporation and that the Departmental Selection Committee selected four candidates as conductors, who worked earlier in the bus bearing No.AAE 5693. Petitioner neither applied along with his alleged co-workers for employment nor he attended the interview. The respondent maintains that the petitioner's claim is an afterthought and belated and that as he failed to apply in terms of the notification, he is not entitled to any relief.

Heard Sri Sanjeev Kumar, learned counsel for the petitioner and the learned Standing Counsel for the respondent.

The petitioner has not disputed the averments in the counter-affidavit that he has not applied in terms of circular dated 10.11.1983 or that he attended the interview when other four candidates, who were absorbed as conductors, were considered. Petitioner has not given any reason for his failure to apply in pursuance of the circular dated 10.11.1983. Therefore, having kept quiet without making a claim at appropriate stage, he is not entitled to seek the relief of absorption at a belated stage by approaching this Court.

The petitioner has not made out any case for grant of relief in this writ petition. Therefore, the writ petition is dismissed. No order as to costs.

C.V. NAGARJUNA REDDY, J

Date: 05.12.2006
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